

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

JACKIE O. TEEL

VS.

CITY OF ARLINGTON

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§

ACTION NO. 4:12-CV-599-Y

ORDER DENYING APPLICATION TO PROCEED IN FORMA PAUPERIS

On September 12, 2012, the United States magistrate judge issued his findings, conclusions, and recommendation that Plaintiff's motion for leave to proceed in forma pauperis under 28 U.S.C. § 1915 be denied due to Plaintiff's prior abuse of the privilege of proceeding without the prepayment of the filing fee. The magistrate judge gave Plaintiff until October 1 to file any objections to his decision.

On that date, Plaintiff filed his response to the magistrate judge's order. In his response, Plaintiff complains that when he was arrested by Defendant's police officers, they came into his house and demanded that he get up but he could not do so; he then allegedly, presumably upon confinement, was given a mattress with holes in it that someone had already slept on; and that "the paint was falling off the wall into my face and mouth." As a result of these complaints, Plaintiff's response contends he should be awarded \$50,000. Nothing in Plaintiff's response demonstrates, however, that he should be permitted to proceed in forma pauperis under section 1915. Indeed, his response instead suggests the correctness of the magistrate judge's decision, inasmuch as his response appears to contain frivolous and legally unviable allegations that would be

subject to dismissal under section 1915(e)(2)(B).

It is, therefore, ORDERED that the magistrate judge's decision (doc. 6) is ADOPTED as the decision of this Court. Plaintiff's application for leave to proceed in forma pauperis under 28 U.S.C. § 1915 (doc. 5) is DENIED. If Plaintiff desires to pursue his claims, he must pay the full filing fee to the clerk of the Court no later than **October 15, 2012**. Failure to timely and completely comply with this order will result in the dismissal of Plaintiff's claims.

SIGNED October 3, 2012.

  
TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE